

**REGULAR SESSION    RUSH COUNTY BOARD OF COMMISSIONERS    MAY 7, 2012**

The Rush County Board of Commissioners met in regular session, Monday, May 7, 2012 with Commissioners, Tom Barnes, Marvin Cole, Ken Masters, Deborah Adams, Auditor, and Leigh Morning, County Attorney in attendance.

Commissioner Tom Barnes called the meeting to order, Ken Masters made the motion to approve the minutes of the April 23 2012 meeting as presented. Marvin Cole seconded the motion. Motion carried.

**EMA**

Chuck Kemker, EMA Director, received approval on Ordinance 2012-5 establishing the Rush County Government Succession Plan, on a motion by Ken Masters. Marvin Cole seconded the motion. Motion carried.

**ORDINANCE 2012- 5**

**AN ORDINANCE APPOINTING THE RUSH COUNTY  
GOVERNMENT SUCCESSION PLAN**

WHEREAS, in preparing for emergencies and disasters, it is necessary to establish a line of succession for government leaders; and

WHEREAS, The Rush County Emergency Management Plan outlines essential personnel by position and function, and identifies the necessary actions to reconstitute government services; and

WHEREAS, in keeping with the continuity planning concept, Rush County agencies developed the Continuity of Operations Plans to identify essential personnel, and to establish emergency call-down procedures.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the County of Rush, Indiana, that the following Government Succession Plan is hereby established:

1. The line of succession for government leaders in Rush County, Indiana, is as follows:
  - a. Designated President of the Board of County Commissioners;
  - b. President Pro-tempore of the Board of County Commissioners;
  - c. Remaining Commissioner of the Board of County Commissioners;
  - d. County Auditor;
  - e. County Clerk of the Courts;
  - f. County Recorder;

g. County Director of Emergency Management.

2. This Ordinance is effective upon adoption.

3. Adopted this 7<sup>th</sup> day of May, 2012.

BOARD OF COMMISSIONERS OF  
RUSH COUNTY

/s/Tom Barnes  
Thomas H. Barnes

/s/Marvin Cole  
Marvin L. Cole

/s/Ken Masters  
Ken Masters

ATTEST:

/s/Deborah C. Adams  
Deborah C. Adams, Auditor

County Attorney Leigh Morning questioned Kemker if the EMA ordinance would also need amended. Kemker responded that no, the two ordinances could remain as separate ordinances.

**SOLID WASTE**

Carole Yeend, Solid Waste Director, reported that the Saturday, May 5, 2011 Tox-A-Way day received eighty (80) vehicles within a four (4) hour period.

**MOSCOW ALLEY**

Commissioner Tom Barnes reported that alley closing issues have now been resolved. The Bakers have withdrawn their opposition to the closing of the Moscow alley and there were no other oppositions expressed to the closing of the alley.

Jerry Sitton did research the statue requiring three (3) individuals to view the site. This statue has changed and no longer exist.

Leigh Morning advised that a new public hearing will need to be scheduled. Ken Masters made the motion to schedule the public hearing for June 4, at 9:30 a.m.

## **VFW BUILDING**

Tom Barnes discussed that the local Veterans Foreign War building is vacant. The VFW group has expressed the interest of turning it over to the county for possible future use by Homeland Security and or the Veterans Service Officer.

## **INDIANA HI-RAIL**

Discussion was continued regarding the Indiana Hi-Rail property that had previously been purchased during a commissioners certificate sale. Barnes shared his thoughts that the commissioner sale/tax sale system is broke. The individual failed to file for his tax deed within the required time frame and the taxes had been paid during the purchasing of the parcel during the commissioners sale. The property will now be required to be delinquent of taxes to be placed on the tax sale list again.

## **SHERIFF**

Jeff Sherwood, Sheriff, reported forty-three (43) inmates currently incarcerated in the Rush County jail.

Sherwood reported that the generator fuel tank has now been replaced.

## **HIGHWAY**

Jerry Sitton, Highway Superintendent, received approval and signatures of the 2011 Annual Report on a motion by Ken Masters. Marvin Cole seconded the motion. Motion carried.

Sitton submitted the April monthly highway report for the commissioners to review.

Sitton reported on the ROW with Bunge located on Gings road.

Sitton will contact Bunge regarding pot holes at the railroad crossing located on 200 north.

## **RIDE RUSH**

Wanda Henderson, Director of Rush County Ride Rush, presented the first quarter report for the commissioners to sign. Ken Masters made the motion to approve and sign the quarterly report. Marvin Cole seconded the motion. Motion carried.

## **RUSH COUNTY PLAYERS**

Scott Evans, of Rush County Players, appeared before the commissioners to further discuss the Rush County Players utilizing the courthouse for their upcoming production "The Best of Broadway"

The players asked for usage of the 1st floor hallway and the assembly room. The commissioners made it clear that the cast and crew understood it was their responsibility for the clean-up and the pick-up of the area and to be sure everything is in proper order for the beginning business the following morning. Gilliam Janitorial and the sheriff department will be their contact for courthouse security.

Ken Masters made the motion to approve Thursday and Friday July 26, 27. Saturday and Sunday, July 28, 29 for the play productions at the time specified during discussion. Practice will be Monday evenings on July 2,9,and 23. Marvin Cole seconded the motion. Motion carried.

### **AUDITOR**

Deborah Adams, Auditor, received approval of payroll claims for the period ending May 11, 2012 on a motion by Marvin Cole. Ken Masters seconded the motion. Motion carried.

Bi-weekly claims submitted May 1, 2012 were approved on a motion by Marvin Cole. Ken Masters seconded the motion. Motion carried.

Adams reported that a map is being created to provide the public with an over view of the geographic area proposed for the wind farms. The map should be completed by the end of the day.

Adams reported that they and the Surveyors office have worked out the details for the implementation of the drain improvement loans according to SBoA standards.

### **AREA PLAN COMMISSION**

Area resident John Saxon read a complaint he had prepared regarding concerns of audience participation during a "March APC meeting".

Bill Todd, APC Director, responded that the meeting procedure was according to state statute. Todd did outline the time line and stated that he was sorry that this was not according to their time table.

Todd did give clarification to the error on the agenda indicated as "Audience Participation" really means Communication. Individuals wishing to talk must sign up seven (7) days prior to the meeting.

Saxon provided clarification to clauses concerning the wind farms.

Tom Barnes indicated that he was not prepared to make any comment on the wind farms. He has not studied the topic enough. Commissioners Cole or Masters were not prepared to make any comment on the topic either.

## MISC.

- Ken Masters made the motion to sign the proclamation to make May, "Mental Health Awareness Month" in Rush County. Marvin Cole seconded the motion. Motion carried.
- Reviewed Carthage Vol. Fire Dept. run report
- Set a ADA committee meeting for Friday, May 11 at 9:00 am
- Ken Masters thanked Rush Shelby Energy, Sheriff Dept. and the Highway departments for their quick action regarding the six (6) down poles along 400 west.
- Tom Barnes thanked the media for their coverage of the Master Gardeners.
- Bill Todd shared his concerns as an employee regarding the discrepancies between the employee hand book and the employee health plan. Todd asked that this please be addressed quickly.

Motion to adjourn was received from Marvin Cole. Ken Masters seconded the motion. Motion carried.

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Tom Barnes, Chairman

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Marvin Cole

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Ken Masters

ATTEST:

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Deborah C. Adams, Auditor